

Notice of Allowability

Application No.

10/677,706

Examiner

John Ruggles

Applicant(s)

VROMAN ET AL.

Art Unit

1756

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the 10/26/05 amendment & the 10/3/05 request for telephone interview.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


John Ruggles
Examiner, Art Unit 1756
571-272-1390

Response to Amendment

In the submission filed on 10/26/05, claims 1-3, 5-8, 17-19, and 23-24 have been currently amended and claims 9-16 and 20-22 remain as originally filed. Therefore, only claims 1-24 as currently amended remain under consideration.

Applicants' current amendments to the specification and claims along with the accompanying remarks on pages 9-11 of 11 have been found persuasive, especially in view of the following Examiner's Amendment. Therefore, all previous objections and rejections are now withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment, including the final re-numbering of claim 2 as 3 and claim 3 as 2, was given in a telephone interview on 12/5/05 with John E. Pillion (at his previous request).

IN THE SPECIFICATION:

At page 6 lines 16-17, change "variation permeability" to --variation in permeability--.

At page 6 line 27, change "are porous to gas opposing walls" to --are porous to gas, while opposing walls--.

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At page 7 line 16, change “have” to --[[have]] has--.

At page 8 line 22, change “that is removal” to --so that [[is]] removal--.

At page 8 line 24, change “and a permeability” to --and preferably have a permeability--.

At page 9 line 12, change “powder three treatments” to --powder after three treatments--.

At page 9 line 21, change “for yield” to --[[for]] to yield--.

At page 9 line 27, change “wire EDM” to --cut via wire EDM--.

At page 9 line 28 and also at page 10 line 4, change “clean” to --cleaning-- at both occurrences.

At page 10 line 11, change “found to” to --found to be--.

At page 10 lines 15 and 30, change “to” to --[[to]] and-- at both occurrences.

At page 10 line 25, change “disc. having” to --disc[[.]] having--.

At page 10 lines 30 and 31, change “most preferably” to --and most preferably-- at both occurrences.

IN THE CLAIMS:

In claim 1 lines 1, 2, 3 (both occurrences), and 5 as well as at all other occurrences throughout the claims (at line 1 in each of claims 2-8, 17-18, 20, and 24, and also at claim 9 line 5, claim 19 lines 1-2, claim 22 line 2, and claim 23 line 3), change “porous media” to --porous filter media--.

In claim 1 line 2, change “media stress relieved” to --media having been stress relieved--.

In claim 1 line 5, claim 3 line 2, and claim 18 line 3, change “permeability factor” to --permeability ~~factor~~--.

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In claim 1 line 6, change “to” to --and--.

In claim 4 line 1, change the dependency from “claim 2” to --claim [[2]] 3--.

In claim 5 line 2, change “40” to --40%--.

In claim 9 line 1, change “porous metal frame” to --porous metal filter frame--.

In claims 10-24 at each occurrence (in line 1 of each claim), change “frame” to --porous metal filter frame--.

In claim 18 lines 2-3, change “said two opposing sections” to --and said two opposing sections--.

Allowable Subject Matter

Claims 1-24 are allowed.

The following is an examiner’s statement of reasons for allowance: the copy of ISO 4022 on fluid permeability provided by Applicants is relied upon to support the definition and corresponding units for the permeability of the porous filter media (recited by instant claim 1) in the porous metal filter frame for supporting a pellicle and a reticle positioned in parallel relationship to each other (recited by instant claim 9, which depends on claim 1), and in which the porous metal filter frame is bonded in an optical apparatus to a transparent pellicle and a reticle optical mask in parallel relationship to each other (recited by instant claim 14, which depends on claim 9). While teaching some aspects of the instant claims, the prior art does not specifically teach all the limitations of currently amended instant claim 1.

In particular, the prior art does not teach a porous filter media, the bulk matrix of which comprises a material having a low coefficient of thermal expansion; said porous filter media

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having been stress relieved to make the porous filter media stable for cutting or lapping, said porous filter media capable of retaining 99.99% or more of particles of a size of about 0.003 microns and larger at 0.2 slpm/cm²; and said porous filter media has a permeability of between $1.0 \times 10^{-11} \text{ m}^2$ and $1.0 \times 10^{-13} \text{ m}^2$ (as recited by currently amended instant claim 1). Therefore, instant claim 1 is allowable over the prior art and instant claims 2-24 are also allowable over the prior art due to their dependence on instant claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Ruggles whose telephone number is 571-272-1390. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on 571-272-1385. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John Ruggles
Examiner
Art Unit 1756
MARK F. HUFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700